

### **Remarks and Arguments**

Applicants have carefully considered the Office Action dated May 14, 2004 and the references cited therein. Applicants respectfully request reexamination and reconsideration of the application.

Notwithstanding the prior response, claims 1, 4 and 10 remain rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent 6,240, 070, Kozdon et al., hereafter referred to as Kozdon, in view of U.S. Patent No. 6,359,882, Robles et al., hereafter referred to as Robles. In this setting forth the rejection, the Examiner has the again expressly admitted that Kozdon does not explicitly teach modifying one of the time stamp, source identifier and sequence number of the packet headers in the active stream of audio packets. The Examiner is relying on Robles, alleging that Robles teaches modifying of the sequence number of the packet headers in the active stream of audio packets, and further stating that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify one of the header fields in Kozdon as taught by Robles because such modification that would enable the system to assign the new sequence number to the active stream of data packets. However, even if such allegation is assumed to be true, the combined teachings of Kozdon and Robles do not teach, disclose or suggest the subject matter of claims claims 1, 4 and 10, as amended.

Specifically, claim 1 recites a method for enabling audio conferencing comprising "modifying one of the time stamp and source identifier of the packet headers in the active stream of audio packets" (claim 1, lines 12-13). The Examiner has not shown where Kozdon and Robles, whether considered singularly, or in combinations, teach, disclose or suggest modifying either the time stamp or source identifier of *the packet headers* in the active stream of audio packets. The stated previously, the Examiner has the expressly admitted that Kozdon does not explicitly teach modifying one of the time stamp and source identifier. The Examiner's citations to Robles allegedly disclose only modification of the sequence number of the packet headers. Accordingly, claims 1, 4 and 10, as amended, oblique patent all over Kozdon and Robles, whether considered singularly, or in combinations.

Claims 2-3 include all of the limitations of claim 1 and are likewise believed patentable over the cited references for at least the same reasons as claim 1, as well as for the merits of their own respective limitations.

Claims 4 and 10 have been amended to include limitation language similar to claim 1 (claim 4, lines 12-13; claim 7, lines 10-11; claim 10, lines 11-12), and, along with their respective dependent claims, are likewise believed patentable over the cited references for at least the same reasons as claim 1, as well as for the merits of their own respective limitations.

Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kozdon, in view of Robles, and further in view of U.S. Patent No. 6,466,550, Foster et al., hereafter referred to as Foster. Claim 7 has been amended to include limitation language similar to claim 1 (claim 7, lines 10-11). In setting forth the rejection of claim 7, the Examiner has expressly admitted that Kozdon does not explicitly teach a packet header and modifying one of the header fields as claimed. The Examiner's citations to Robles allegedly disclose only modification of the sequence number of the packet headers. Accordingly, claim 7, as amended, as well as its respective dependent claims, is believed to distinguish over Kozdon, Robles, and Foster whether considered singularly, or in combinations for at least the same reasons as claim 1, as well as for the merits of their own respective limitations.

Claims 14-16, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kozdon, in view of U.S. Patent No. 6,418,125, Oran. In this setting forth the rejection of claim 14, the Examiner alleges that various aspects of claim 14, as previously amended, are still taught by Kozdon since the Examiner has given the broadest reasonable interpretation of transmission of two audio streams in unmixed form as two separate data streams (i.e., audio is simultaneously presented with separate channels, Kozdon, column 3, lines 31-38). The system disclosed in Kozdon, two output signals are transmitted, a first output "B" 112 is compressed and unmixed, while a second output "A" 110 represents a mixed summation of all active audio streams in the conference. The Examiner will note that, although the two audio streams are transmitted separately, output "A" 110 represents a compressed summation stream which is produced by combining each of the incoming audio channels into a single

output channel (Kozdon, column 3, lines 11-15). As such, at least one of the two audio channels generated by the Kozdon conference server is a previously mixed audio stream.

Claim 14 has been amended and now recites a system for enable conferencing over a computer network comprising:

B. a server process operatively coupled to the computer network and configured to identify a first of the selected plurality of client processes which is transmitting an active audio stream *from a first single audio source* and to retransmit the active audio stream of the first identified client process to others of the plurality of client processes in unmixed form, the server process further configured to identify a second of the selected plurality of client processes which is transmitting an active audio stream *from a second single audio source* and to simultaneously retransmit the active audio streams of the first and second *audio sources associated with the* identified first and second client processes, *respectively*, to others of the plurality of client processes *in unmixed form*.

(claim 14, lines 9-19, emphasis added)

None of the references cited by the Examiner disclose the simultaneous broadcast transmission of a plurality of unmixed audio streams to client processes participating in a conference, *where each audio stream represents a single audio source*. In Kozdon, one of the two audio channels generated by the Kozdon conference server is a summation of multiple audio channels. Accordingly, claim 14 is believed patentable over Kozdon in view of Oran, whether considered singularly or in combinations. Claims 15-18 include all of the limitations of claim 14 and are likewise believed allowable for at least the same reasons as claim 14, as well as for the merits of their own respective limitations.

The Examiner will note that claim 17 has not been officially rejected in the current office action under any particular combination of references. Accordingly, Applicants

again respectfully request the Examiner to clarify the rejection of claim 17 and will not address the current rejection of claim 17 in this response.

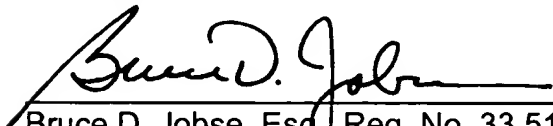
In addition, Applicants respectfully traverse the various rejections of the dependent claims on the additional grounds that the Examiner has failed to demonstrate where the prior art reference (or references when combined) disclose some suggestion or motivation to modify the Kozdon reference or combine the Kozdon and Robles references with any of the Foster et al., Oran, or Bruno et al. references, and, therefore, has failed to create a *prima facie* case of obviousness in accordance with MPEP §2143.03.

Regarding the rejection of the claims under 35 USC section 112, second paragraph, the term "selected" refers to the plurality of client processes is in claim 1 which specifically states "selected of the client processes capable of transmitting an active stream of audio packets to the server process" (claim 1, lines 3-4). In this regard, selected can refer to one or all of the client processes. The Examiner will note that the same section of claim 1 cited above serves as the antecedent basis for the "the selected client processes" in claim 2. Accordingly, applicants respectfully traverse such rejection and believe that the claims, in a currently form point out and distinctly claim the subject matter which applicants regard as the invention.

Applicant respectfully reasserts all of the arguments and traversals set forth in prior responses to the extent still relevant to the outstanding rejections.

Applicants believe the claims are in allowable condition. A notice of allowance for this application is solicited earnestly. If the Examiner has any further questions regarding this amendment, he/she is invited to call Applicants' attorney at the number listed below. The Examiner is hereby authorized to charge any fees or credit any balances under 37 CFR §1.17, and 1.16 to Deposit Account No. DA-12-2158.

Respectfully submitted,



Date: \_\_\_\_\_

7/14/04

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